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# **Declaration and Power of Attorney for Patent Application**

## 特許出願宣言書及び委任状

# Japanese Language Declaration

### 日本語宣言書

私は、下記の氏名の発明者として、以下の通り宣言します。 私の住所、郵便物送付先及び国籍は、下記の私の氏名の後に記載された通りです。	As a below named inventor, I hereby declare that:  My residence, post office address and citizenship are as stated next to my name.
下記の名称の発明として請求範囲に記載され、特許出願している発明内容について、私が最初かつ唯一の発明者 (下記の氏名が一つの場合) もしくは最初の共同発明者 (下記の氏名が複数の場合) であると信じています。	I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled DISC DRIVE APPARATUS AND METHOD,  RECORDING MEDIUM, AND PROGRAM
上記の発明の明細書は本書に添付のとおりです(下記の□欄に チェックがある場合を除く)。	the specification of which is attached hereto unless the following box is checked:
<ul><li>□月日に出願され、米国出願番号または特許協定条約に基づく国際出願番号をとし、 (該当する場合)に補正されました。</li></ul>	was filed on as United States Application Number or PCT International Application Number and was amended on (if applicable).
私は、請求範囲を含む、上記の補正がある場合は補正されたと おりの明細書を検討し、その内容を理解していることをここに表 明します。	I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.
私は、連邦規則37編1条56項に定義されているとおり、特許性 の有無についての重要な情報を開示する義務があることを認め ます。	I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

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(日本語宣言書)

私は、外国での特許出願又は発明者証の出願についての米国 I hereby claim foreign priority under Title 35, United States 法典35編119条(a)-(d)項または365条(b)項に基づく優先権、もしく Code, § 119(a)-(d) or § 365(b) of any foreign application(s) for は米国以外の少なくとも一カ国を指定するPCT国際出願についての365条(a)項に基づく優先権をここに主張するとともに、優先権を主張する、本出願前に出願された特許又は発明者証の外国出 patent or inventor's certificate, or § 365(a) of any PCT International Application which designated at least one country other than the United States, listed below, and have also 願もしくはPCT国際出願を、以下の枠内にマークすることにより identified below, by checking the box, any foreign application 特定します。 for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed. Prior Foreign Applications(s) Priority Not Claimed 外国での先行出願 優先権主張なし P2004-274698 **JAPAN** 22/09/2004 (Number) (Country) (Day/Month/Year Filed) (番号) (国名) (出願年月日) (Number) (Country) (Day/Month/Year Filed) (番号) (国名) (出願年月日) 私は、下記の米国出願についての米国法典35編119条(e)項に I hereby claim the benefit under Title 35, United States Code, 基づく権利をここに主張します。 § 119(e) of any United States provisional application(s) listed below. (Application No.) (Filing Date) (Filing Date) (Application No.) (出願番号) (出願日) (出願番号) (出願日) 私は、下記の米国出願についての米国法典35編120条に基づ I hereby claim the benefit under Title 35, United States Code, く権利、もしくは下記の米国を指定するPCT国際出願についての § 120 of any United States application(s), or § 365(c) of any 365条(c)に基づく権利をここに主張します。また、本出願の各請 PCT International Application designating the United States, 求範囲の発明内容が米国法典35条112条1項に定められた方法で listed below and, insofar as the subject matter of each of the 先行米国出願又はPCT国際出願に開示されていない限り、私は、 claims of this application is not disclosed in the prior United 先行特許の出願日以後、本出願の国内出願日またはPCT国際出願 States or PCT International Application in the manner provided 日までの間に利用可能となった、連邦規則法典37編1条56項で定 義された特許性の有無に関する重要な情報の全てについて開示 by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose any or all information which is 義務があることを認めます。 material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application. (Status: Patented, Pending, Abandoned) (Application No.) (Filing Date) (出願番号) (出願日) (現況:特許許可済、係属中、放棄済) (Status: Patented, Pending, Abandoned). (現況:特許許可済、係属中、放棄済) (Application No.) (Filing Date) (出願番号) (出願日) 私は、私自身の知識に基づいて本宣言書中で私が行った表 I hereby declare that all statements made herein of my own 明が真実であること、また、私の入手した情報と私の信じる ところに基づく表明が全て真実であると信じていることを宣 knowledge are true and that all statements made on information and belief are believed to be true; and further that these 言します。さらに、故意になされた虚偽の表明及びそれと同等の行為が米国法典18編1001条に基づき罰金又は拘禁もしくはその両方により処罰されること、そのような故意による虚 statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the 偽の声明が出願し又は既に発行された特許の有効性を失わせ United States Code and that such willful false statements may

るかもしれないことを認識しつつ、それらの表明を行ったこ とを宣言します。

jeopardize the validity of the application or any patent issued thereon.

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委任状:私は、下記発明者として、以下の弁理士及び代理人、又はそのいずれかをここに選任し、本願の手続きを遂行すること並びにこれに関する一切の行為を米国特許商標庁に対して行うことを委任する。(代理人氏名及び登録番号を明記のこと)。

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this patent application and transact all business in the Patent and Trademark Office connected therewith: (list name and registration number):

I hereby appoint the following attorney and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

## FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P., CUSTOMER NUMBER 22,852.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

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